

**English for Islamic  
&  
Arabic students  
First Postgraduate  
students**

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## I. ISLAMIC JURISPRUDENCE

Islamic jurisprudence is the knowledge of Islamic laws, what is permissible and what is forbidden, what is obligatory, what is disliked (not recommended, unfavorable) and what is recommended (favorable), and what is correct and what is incorrect. These Islamic laws are derived from the Ever-Glorious Qur'ān, prophetic traditions, Qiyās [verdicts and judgments by Islamic religious scholars] and Ijmā' [Judgments unanimously agreed upon by Islamic religious scholars]. The Muslims in the time of the Prophet would take their religious rulings from him. They would take the rulings that had to do with worship, like prayer, pilgrimage, fasting and spiritual purification, or the rulings that had to do with transactions like trade, partnership, rent, land, marriage and divorce and other rules that are found in the religion from him.

After his death, some situations arose in one's prayer, fast, life, business, partnership or pilgrimage...etc that did not occur during the Prophet's lifetime. They needed to know what the religious ruling was. In this case they would refer to some of the companions to take the ruling from them. Some different verdicts were passed by different companions and the generation that came after them called the *tābi'īn*. There were many *mujtahids* and many differences in verdicts, but there were no jurisprudential schools like there are today.

At the end of the first century A.H. different jurists appeared and the Islamic sciences took form. Examples of these jurists are: Sa'īd bin al-Mussayab, al-Hassan al-Basrī and Sufyān al-Thawrī

Islamic jurisprudence started to spread out in the second century A.H. Islamic jurisprudential schools also started to form because many jurists appeared and they made many religious verdicts which differed from the verdicts of others. Some of the differences include leaving the arms down in prayer or crossing them or in some of the rulings regarding *wudū'*, fasting, divorce, inheritance, etc.

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The jurisprudential schools of Islam that are taught and have scholars and students all over the world are:

1. The Hanafī school
- ④ 2. The Mālikī school
3. The Shāfi'ī school
4. The Hanbalī school

Each of these jurisprudential schools will be described later on .



## Questions:

### A-Text – Related Questions:

- 1- What is meant by Islamic jurisprudence?
- 2- What are the sources of Islamic Laws?
- 3- What are the rulings that Muslims take from the prophet?
- 4- What are the Jurisprudential schools of Islam that are taught and have scholars all over the world?

### B-Indicate whether the following statements are true or false, correct the false ones:

- 1- Islamic jurisprudence is the knowledge of Hadith. ( )
- 2- Islamic Laws are derived from pilgrimage. ( )
- 3- At the end of the first century A.H. different jurists appeared and the Islamic sciences took form. ( )

### C-Language skills and structures:

#### 1-Re-arrange the following to form correct statements:

- 1- The Quran and prophetic traditions – are derived – these Islamic Laws –  
appeared from.
- 2- The Islamic sciences – different jurists – at the end of the first century A.H.  
– took form. – appeared and.

#### 2-Vocabulary:

(a) Give the opposite of the following terms from the text and use them in

sentences :- , un , incorrect  
Permissible – favorable – correct – similarities – unfavorable – recommends.

↓  
Impermissible  
Forbidden

③ ↓  
differences

↓ disliked  
unfavorable

(b) Give the adjective of the following terms from the text and use them in sentences:-

Islam - <sup>permissible</sup> permission - forbid - recommend - prophet - religion - spirit - <sup>religious</sup> righteous - <sup>strong</sup> strength - <sup>difference</sup> difference - <sup>right</sup> right - <sup>spiritual</sup> spiritual

### 3-Complete the following paragraph:

..... is the knowledge of Islamic Laws, what is permissible and what is ....., what is obligatory, and what is ....., what is correct, and what is ..... These Islamic Laws are derived from ..... and .....

### D-Translation:

#### 1-Translate the following paragraphs into Arabic:

- 1- Muslims in the time of the Prophet would take their religious rulings from him. They would take the rulings that had to do with worship, like prayer, pilgrimage, fasting and spiritual purification, or the rulings that had to do with transactions like trade, partnership, rent, land, marriage and divorce and other rules that are found in the religion from him.
- 2- Islamic jurisprudence started to spread out in the second century A.H. Islamic jurisprudential schools also started to form because many jurists appeared and they made many religious verdicts which differed from the verdicts of others. Some of the differences include leaving the arms down in prayer or crossing them or in some of the rulings regarding *wudū'*, fasting, divorce, inheritance, etc.

#### 2-Translate the following terms into Arabic:

Islamic Jurisprudence - prophetic traditions - prayer - pilgrimage - fasting - transactions - marriage - divorce - jurisprudential schools of Islam - inheritance

#### 3-Translate the following terms into English:

المعرفة - المسموح به - الطهارة الروحية - الصلاة - الفقهاء

## THE IMPORTANCE OF JURISPRUDENCE

Allah, the Creator of mankind and the world with all its precision and secrets, emphasizes in the Holy Scriptures that man needs order in his worldly life and needs to find the path that leads him to his purpose, which is the eternal blessings of the next life.

Man's divine disposition (*fitrah*) necessitates him to follow religion and religious laws. The reason for this is that man, as shown in his nature and throughout history, is unable to understand what is good and what is bad for him in every situation.

Jurisprudence, which discusses the divine code, teaches us religious laws which give order to our worldly life, which give us benefit, which take us away from corruption and show us the path that leads man to his purpose.

### The Special Qualities of Jurisprudence

- ④ • Inclusiveness; it includes everything needed to manage and give order to man's life in every aspect and dimension. Jurisprudence gives order to man's life in every different situation, for example: worship, social relations, business deals, personal affairs such as marriage, divorce, inheritance, adequate support (*nafaqah*), family rights, legal matters, government, war, enjoining the right and forbidding the wrong, charity and punishments.
- ④ • Easiness: there is no divine law that puts a *mukallaf* in extreme difficulty.1
- ④ • Congruence with man's nature: a law that is against one's divine disposition cannot be found. The reason for this is that the one who makes the divine laws is the same one who created man and who knows the secrets of his soul. For this reason it is possible for Islamic jurisprudence to be in congruence with man's divine disposition.2

- ④ • Balance: There is no excessiveness in jurisprudence.3



Islamic jurisprudence is what connects this world to the next.

- 1. Refer to 22:78
- 2. Refer to 30:30
- 3. Refer to 2:143

(6)

## Questions:

### A-Text – Related Questions:

- 1- What are the needs of man in his worldly life?
- 2- What does man's divine disposition (fitrah) necessitate?
- 3- What is the importance of Jurisprudence?
- 4- What are the special qualities of Jurisprudence?
- 5- What is the core of Jurisprudence?

### B-Indicate whether the following statements are true or false, correct the false ones:

- 1- Man doesn't need order in his worldly life. ( )
- 2- Man's divine disposition (fitrah) necessitates him to follow religion and religion laws. ( )
- 3- Jurisprudence discusses scientific discoveries. ( )

### C-Language skills and structure:

#### 1-Re-arrange the following to form correct statements:

- 1- This world – Islamic jurisprudence – is – to the next – what connects.
- 2- In extreme difficulty – a mukallaf – no divine – there is – puts – law.
- 3- Corruption – away from – takes us – Jurisprudence.

#### 2- Vocabulary:

- 1- Give the noun of the following verbs from the text and use them in sentences:

Create – corrupt – inherit – govern – punish.

(7)

2- Give the synonym (i.e. meaning) of the following terms from the text and use them in sentences:

the creator of mankind – man's divine disposition – hereafter – guides man  
– Laws from Allah –no excessiveness.

3- Give the English term of the following definitions:

- It includes everything needed to manage and give order to man's life in every aspect and dimension (-----)
- Marriage, divorce, inheritance, family rights (-----).
- nafaqah (-----)
- A law that is against one's divine disposition cannot be found (-----)
- No divine law puts a mukallaf in extreme difficulty (-----).

**D-Translation:**

1- **Translate the following paragraph into Arabic:**

Inclusiveness; it includes everything needed to manage and give order to man's life in every aspect and dimension. Jurisprudence gives order to man's life in every different situation, for example: worship, social relations, business deals, personal affairs such as marriage, divorce, inheritance, adequate support (*nafaqah*), family rights, legal matters, government, war, enjoining the right and forbidding the wrong, charity and punishments.

2- **Translate the following terms into Arabic:**

Creator – mankind – the Holy scriptures – eternal blessings –  
Jurisprudence.

3- **Translate the following terms into English:**

العبادة – العلاقات الاجتماعية – التوازن – الحياة الدنيا – البساطة واليسر

### III THE JURISPRUDENTIAL SCHOOLS OF ISLAM

#### The Hanafi School :

This school is called the Hanafi school because of its imām, Abī Hanīfah. Abī Hanīfah's full name is al-Nu'mān bin Thābit bin Zū'ī al-Fārsī. His forefathers were from Kabul. Abī Hanīfah was born in the 80th A.H. and died in the year 150 in Baghdad. (1)

Abī Hanīfah grew up in Kūfa and spent half of his lifetime working as a merchant before he became a seminary student and teacher. He studied under Hammād bin Abī Salamah for eighteen years before he became a scholar himself. He was one of the big scholars of his time and reached the level of *ijtihād*. He accepted syllogism *qiyas* in addition to the Ever-Glorious Qur'ān and prophetic traditions as tools for deriving religious rulings or *fatwa*. Many scholars of his time refuted him on this issue.

The Umayyad rulers asked him to become a judge and he refused. Because of this, they put him in prison and whipped him for days, until he was on the brink of death. Then, the prison warden helped him to escape and he fled to Mecca. Afterwards, he travelled between Mecca and Medina pretending to be a nomad. During this period of time he studied for two years under Imām al-Sādiq. He has a famous saying describing this experience: "If it wasn't for these two years, al-Nu'mān would have perished." He stayed there until the end of rule of the Umayyad dynasty on the hands of the Abbasid dynasty.

When the Abbasid dynasty came to power, Abī Hanīfah refused to help them. Al-Mansūr imprisoned him and ordered him to be lashed 120 times which resulted in his death.

#### The Maliki School : after

This school is named its founder Imām Mālik bin Anas bin Mālik al-Asbahī who was a member of the Yemenite al-Asbah tribe. (2)

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Mālik bin Anas was born in Medina in the 93rd A.H.. He was a student of some of the Islamic jurists of his time including Nāfi', Mawla 'Abduallah bin 'Umar and Ibn Shahāb al-Zahrī. He lived under the Umayyad rule for forty years and during this time he did not portray himself as a scholar.

Later on, the Abbasiḍ khalīfa, Abū Ja'far al-Mansūr improved his relations with Imām Mālik. He asked Imām Mālik to write a jurisprudential book, in accordance to his school, to be published. Imām Mālik wrote the book *Al-Mūattā'*, the book of religious verdicts, and the Mālakī jurisprudential school became the official school of the Abbasiḍ Empire and missionaries were sent as far as Africa and Indonesia to preach *Al-Mūattā'* and the Mālakī school. Imām Mālik differed from Abī Hanīfah on his views regarding voting and syllogism as valid sources of religious rulings. He died in the 179th A.H..

### The Shafi'i School :

This school was named after its founder Imām Muhammad bin Idrīs bin 'Abbās bin 'Uthmān al-Shāfi' whose lineage traced back to Hāshim, the son of 'Abd al-Muttalib, the Prophet's grandfather.

Imām Shāfi' was born in the 150th A.H., the same year that Abī Hanīfah died. He was an orphan and his mother raised him in Yemen. When he reached 10 years of age he went to Mecca to learn reading and writing. He then lived in the desert for 17 years before becoming a religious student. He studied under the scholars of his time such as Muslim bin Khālid al-Makhzūmī and Mālik bin Anas (the founder of the Mālakī school and the author of *al-Mūattā'*.) When Imām Mālik passed away he returned to Yemen.

He then migrated to Egypt and preached his school there. His school was also spread by his students in other parts of the Islamic world. Imām Shāfi' died in the 198th A.H.

### The Hanbali School :

This school was named after its founder, Ahmad bin Muhammad bin Hanbal who was an Arab.



He was born in Baghdād in 164 A.H. He started his studies there at the age of 15. He studied under both Imam al-Shāfi'ī's and 'Alī Abī Yusif al-Qādī (Abī Hanīfah's student.) He also studied under different scholars of his time, such as Harīz, one of Imām Sādiq's students.

This school was spread like the other Schools. This school is still practiced in the Arabian Peninsula and other parts of the Islamic world. Ahmad bin Hanbal died in Baghdād in 241 A.H. (4)

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- 1. Al-Sharīf al-Murtada, Tanzīh al-Anbiyā', page 212
  - 2. ~~Bāqir Sharīf al-Qurayshī, Tuhfat min Sirat A'imah Ahl al-Bayt~~, page 12
  - 3. Asad Haydar, Al-Imām al-Sādiq wa al-Madhāhib al-Arba'h, volume 1, page 175

## Questions:

### A- Text – Related Questions:

- 1- What is the Hanafi School ?
- 2- Give an account of the Maliki School ?
- 3- Who is Imam Shafii ?
- 4- Mention what you know about The Hanbali School ?

### B-Correct the wrong information in the following statements:

- 1- Malikbin Anas was born in Kufa.
- 2- Imam Malik migrated to Egypt and preached his school there.
- 3- The Shafii School was named after its founder Ahmad bin Muhammad bin Hanbal.
- 4- Ahmad bin Hanbal died in Egypt.

### C-Language skills and structure:

#### 1-Re-arrange the following to form correct statements:

- 1- Malik bin Anas – in Medina – was born – in the 93 rd A.H.
- 2- In the 150<sup>th</sup> A.H. – Imam Shafi'i – was born.
- 3- Was born – in Baghdad – he – in 164 A.H.

#### 2-Vocabulary:

- 1- Give the verb of the following nouns from the text and use them in sentences:

Knowledge – growth – student – acceptance – collection – description.

2- Give the adjective of the following terms from the text and use them in sentences:

Difference – ethic – Islam – prophet – jurisprudence – office – hanbal – Arabic.

3- Complete the following paragraph:

This school is called the ..... , because of its imam, Abi Hanifah. He grew in ..... , and spent half of his life time working as a ..... before he became ..... And teacher.

#### D-Translation:

1- Translate the following paragraphs into Arabic:

- 1- Imām Shāfi'ī was born in the 150th A.H., the same year that Abī Hanīfah died. He was an orphan and his mother raised him in Yemen. When he reached 10 years of age he went to Mecca to learn reading and writing. He then lived in the desert for 17 years before becoming a religious student. He studied under the scholars of his time such as Muslim bin Khālīd al-Makhzūmī and Mālīk bin Anas (the founder of the Mālīkī school and the author of al-Mūattā'). When Imām Mālīk passed away he returned to Yemen.
- 2- This school was named after its founder Ahmad bin Muhammad bin Hanbal who was an Arab. He was born in Baghdād in 164 A.H. He started his studies there at the age of 15. He studied under both Imam al-Shāfi'ī's and 'Ali Abī Yusif al-Qādī (Abī Hanīfah's student.) He also studied under different scholars of his time, such as Harīz, one of Imām Sādiq's students.

2- Translate the following terms into Arabic:

Prison – death – school – religious – verdicts – founder.

3- Translate the following terms into English:

الجد – يتيماً – هاجر – الجزيرة العربية – القراءة والكتابة (13)